

STATEMENT SUMMARIZING INTERVIEW

This Supplemental Preliminary Amendment is further to the Preliminary Amendment dated December 19, 2008. Claims 33 to 36, 38, 44 and 46 to 70 are in the application, with Claims 47 to 70 having been newly added, and with Claims 1 to 3, 8 to 32, 37, 39 to 43 and 45 having been canceled without prejudice or disclaimer of subject matter and without conceding the correctness of the rejections applied against them.

Applicants and their undersigned attorney thank Examiner Lee for his courtesies and thoughtful treatment afforded during a series of conversations conducted between January 7, 2009 and January 16, 2009, in which it was agreed that the above changes to the claims would place the application in condition for allowance.

Regarding a formal matter, Examiner Lee expressed concern with multiple dependent Claims 34 to 36, and in particular his concern that Claims 34 to 36 depend from subsequently-numbered claims. In this regard, the MPEP recognizes that the order of claims may change throughout prosecution, resulting in dependent claims that depend from numerically following claims rather than numerically preceding claims. See MPEP § 608.01(n)(IV) (page 600-92). Such situations are not objectionable if they can be corrected at the time of issue, through renumbering by the Examiner. Moreover, with respect to multiple dependent claims, the MPEP indicates that it is not objectionable to amend into dependency on subsequent claims. See MPEP § 608.01(n)(I)(F) (page 600-88):

“[I]n situations where a claim refers to a numerically following claim and the dependency is clear, both as presented and as it will be renumbered at issue, all claims should be examined on the merits and no objection as to form need be made.”